



**YERINGTON PAIUTE TRIBE**

171 Campbell Lane  
Yerington, NV 89447  
Phone: (775) 783-0200  
Fax: (775) 463-2416

**Tribal Chairman**  
Laurie A. Thom

**Vice-Chairman**  
Albert Roberts

**Member**  
Linda L. Howard

**Member**  
Elwood L. Emm

**Member**  
Nate Landa

**Member**  
Delmar Stevens

**Member**  
Cassie Roberts

**Deputy Administrator**  
Mark Lumpkin

**Secretary of Record**  
Shelley Cunningham

August 28, 2017

Enrique Manzanilla  
U.S. EPA Region 9  
Superfund Division (SFD-1)  
75 Hawthorne Street  
San Francisco, CA, 94105

RE: Comments Regarding the Framework for Agreement" (Framework) Final dated June 13, 2017 (Between NDEP and ARC), National Priorities List Deferral Agreement, Anaconda Mine Site Draft dated June 13, 2017 (Between NDEP and EPA), Statement of Work for Site-Wide RI/FS" (RIFS SOW), Draft dated June 12, 2017 (Attachment to IAOC) and the Statement of Work for RD/RA of CMUs 2, 4, 5, 6, & 7 (OU8 SOW), Draft dated June 12, 2017 (Attachment to IAOC)

Mr. Manzanilla:

The comments for these documents are considered preliminary; review could not begin in earnest until a draft MOU was provided on July 29<sup>th</sup>, 2017. This effort has been made to meet a request by your staff for an early response. Comments regarding the MOU are being sent separately. Please note, the Tribe has been very clear on the need for 60 day review periods for documents of this length and importance. These comments should not be considered final or complete but it is our hope that they can be used to begin the discussions regarding Tribal sovereignty and management of Tribal natural resources.

We are assuming that before a decision is made, consultation with the Tribe will occur. We expect adequate opportunity to review the revised versions of these documents prior to consultation. Please contact our Environmental Director to develop and agenda and schedule.

Please note, the documents presented to date do not indicate that NDEP has the capacity or authority to lead the Anaconda Mine Site. In addition, with such a large part of the site on BLM and Tribal Trust property, only EPA has authority to manage the site.

**"This Agency is an Equal Opportunity Provider and Employer"**

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Sincerely,

A handwritten signature in dark ink, appearing to read "Laurie A. Thom". The signature is fluid and cursive, with a large initial "L" and a stylized "T" at the end.

Laurie A. Thom, Chairman  
Yerington Paiute Tribe

C: Greg Lavato, NDEP  
Gerry Emm, BIA  
Ralph Thomas, BLM